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Edward T. Buckingham
CNMI Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
Commonwealth of the Northern Mariana Islands
2nd Floor, Hon. Juan A. Sablan Memorial Bldg.
Caller Box 10007, Saipan, MP 96950
Tel: (670) 664-2361
Fax: (670) 234-7016

For The Northern Mariana Islands
By _____
(Deputy Clerk)

Attorneys for the Commonwealth of the
Northern Mariana Islands Defendants

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA,)	CIVIL ACTION NO. CV 99-0017
)	
Plaintiff,)	
)	
v.)	
)	
COMMONWEALTH OF THE)	PROPOSED <i>ARM</i>
NORTHERN MARIANA ISLANDS,)	
GOVERNOR OF THE NORTHERN)	FINDINGS AND ORDER
MARIANA ISLANDS,)	
COMMISSIONER OF THE)	
DEPARTMENT OF PUBLIC)	
SAFETY, SECRETARY OF THE)	
DEPARTMENT OF LABOR AND)	
IMMIGRATION, SECRETARY OF)	
THE DEPARTMENT OF)	
COMMUNITY AND CULTURAL)	
AFFAIRS,)	
)	
Defendants.)	

June 2, 2009 Status Conference

DOJ Principal Deputy Chief Tammy Gregg, Esq. [via conference call]

DOJ Senior Trial Attorney Laura L. Coon, Esq. [via conference call]

DOJ Investigator Jeff Murray [via by conference call]

DOJ Kirk W. Schuler, Assistant US Attorney

CNMI Governor's Senior Policy Advisor Ramon C. Mafnas

CNMI Acting Commissioner, Department of Corrections, Dolores M. San Nicolas

CNMI Division of Youth Services Director Calvani P. Deleon Guerrero

CNMI Juvenile Detention Unit Superintendent Fidel Atalig

CNMI Department of Public Health Acting Secretary Pedro T. Untalan, MHA

CNMI Edward T. Buckingham, AAG / Consent Decree Coordinator

The Consent Decree has been in effect since 1999. After a rocky start, the Commonwealth has, since 2003, submitted quarterly reports outlining the status of operations at the Adult Correctional Facility, Immigration Detention, Juvenile Detention Unit, Rota Detention, and Tinian Detention. Coordination has been ongoing between the Commonwealth and the US Department of Justice in the form of formal reports as well as frequent, informal exchanges of information between the parties.

Substantial progress has been made by the Commonwealth that has included a collaborative, constructive relationship with the US Department of Justice. Following the on-site visit to all of the governed facilities by counsel and retained experts on behalf of the US Department of Justice, progress has continued on issues identified by the parties.

Transmittal of Information by the Commonwealth to US Department of Justice _____

Within thirty (30) days from the date of this Order, the Commonwealth shall provide the US Department of Justice the following information:

A random sample of 10% of the medical records of all male inmates

A random sample of 10% of the medical and mental health records of all inmates who have been identified as in need of mental health services

A random sample of 50% of the medical records of all female inmates

The medical and mental health records of all juveniles currently housed at the Juvenile Detention Unit

The medical records of any inmates who have been identified to be transferred from DOC facilities for mental health reasons

A random sample of 50% of all inmates receiving chronic care or medication for cancer, diabetes, HIV, cardiovascular disease, and other chronic illnesses

A random sample of 25% of the records of inmates transferred to the hospital for emergency and/or inpatient treatment in the past year

Polices at the Adult Correctional Facility and Juvenile Detention Unit regarding infection control and chronic illness

The names of inmates who have died in the past year, if any, and a copy of both their records and mortality reviews

The names of any inmates diagnosed with active TB in the past year and a copy of their medical records

All relevant forms regarding medical, mental health, and dental care

Medical, dental, and mental health care staffing rosters with titles and status and an indication whether staff is part-time or full-time (if part-time, indicate hours worked at the facility per week)

Staffing schedule for the past two (2) months for all providers of medical, mental health, and dental care, including on-call schedules for the same time period

Job descriptions of all providers of medical, mental health, and dental care

Tracking logs for consults, chronic illness, PPD testing, health assessments, and inmates sent to the emergency room

A roster of all inmates enrolled in chronic illness clinics

Medical profile/roster of all chronic illness medications being administered at the facility

Minutes of any meetings that have taken place between security and medical in the past year

A list of all emergency equipment on-site and the location of such equipment

A list of all medical diets available and the identify of inmates who receive such diets

The past 2 months of sick call logs and chronic illness appointments

A copy of the nursing protocols

A copy of the inmate handbook

The names of the inmates who are followed by mental health staff or who are on mental health medications

The medical records of any inmates who have committed suicide or seriously attempted suicide in the past year

Status of Memorandum of Agreement between Department of Public Health and Department of Corrections

Status of Memorandum of Agreement between Department of Public Health and Department of Corrections

Status of health assessment being completed for all adult detainees housed at the Adult

Correctional Facility within 2 weeks of intake by health care professional

Status of health assessment being completed for all juvenile detainees housed at the Juvenile Detention Unit within 2 weeks of intake by health care professional

Status of nurse / EMT / Paramedic support for physician to ensure coverage 5 days per week on site and weekend on call for both adult and juvenile detainees

Review of Information by Department of Justice

As soon as practicable, the Department of Justice shall, in consultation with such assistants and experts as it may deem appropriate, review information provided by the Commonwealth to assess substantial compliance and the long-term sustainability of the medical system.

Continuing Exchange of Information Between the Parties

The Courts encourages the parties to continue the open communication and collaboration that has marked progress in this case.

Next Status Conference

A conference call shall be held at 8:00 am on Tuesday, September 8, 2009 between the parties to review case status and possible case closure.

Dated: 6-4-09

By: Alex R. Munson
Hon. Alex R. Munson
Judge